

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHARLES GEETER, #223130,

Petitioner,

v.

CASE NO. 5:17-CV-11510
HONORABLE JOHN CORBETT O'MEARA

CONNIE HORTON,

Respondent.

ORDER DENYING PETITIONER'S MOTION FOR BOND

Michigan prisoner Charles Geeter ("Petitioner") has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 asserting that he is incarcerated in violation of his constitutional rights. Respondent's answer and the state court record are due on December 12, 2017. This matter is before the Court on Petitioner's motion for bond.

The United States Court of Appeals for the Sixth Circuit has stated that to receive bond pending a decision in a federal habeas case,

[P]risoners must be able to show not only a substantial claim of law based on the facts surrounding the petition but also the existence of 'some circumstance making [the motion for bail] exceptional and deserving of special treatment in the interests of justice.' *Aronson v. May*, 85 S. Ct. 3, 5; 13 L. Ed. 2d 6, 9 (1964) [additional citations omitted]. There will be few occasions where a prisoner will meet this standard.

Lee v. Jabe, 989 F.2d 869, 871 (6th Cir. 1993) (quoting *Dotson v. Clark*, 900 F.2d 77, 79 (6th Cir. 1990)). Federal district courts may grant bail when granting the writ. *Sizemore v. District Ct.*, 735 F.2d 204, 208 (6th Cir. 1984). However, to grant bond prior to making a determination on the merits is extraordinary. *See Moore v. Egeler*, 390 F. Supp. 205, 207 (E.D. Mich. 1975) (Feikens, J.).

Having reviewed Petitioner's motion, the Court is not persuaded that the interests of justice require release on bond pending the resolution of this case. Accordingly, the Court **DENIES** Petitioner's motion for bond.

IT IS ORDERED.

s/John Corbett O'Meara
United States District Judge

Date: December 1, 2017

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, December 1, 2017, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager